

REMARKS

Prior to this Amendment, Claims 1-9 were pending in the application. Claims 1-6 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,414,444 to Britz in view of Japanese Patent Application Publication No.11-264960 to Shiin; Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Britz in view of Shiin and further in view of U.S. Patent Application Publication No 2001/0036845 A1 to Park; and Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Britz in view of Shiin, and further in view of Japanese Patent Application Publication No. 2002-359678 to Masami et al.

As indicated above, Claim 1 has been amended. No new matter has been presented. Claims 1-9 are now pending, with Claim 1 as an independent Claim.

Regarding the §103(a) rejection of independent Claim 1, which has been amended to recite that the first rotating axis extends in a longitudinal direction of the cylinder, this claim is patentable over Britz in view of Shiin. In the Examiner's response to arguments regarding independent Claim 1, the Examiner states that Shiin discloses a cylindrical lens housing (3) that includes a top portion and a bottom portion, and that the Examiner interprets the bottom portion of the cylinder to be the base of the cylinder. (Office Action, pages 2-3). The Examiner further states that the first rotating axis, which extends along the joint pins 4, extends in a direction perpendicular to an outer wall of the base of the cylinder (i.e., perpendicular to the base of the cylinder).

However, the Examiner's interpretation of "base of the cylinder" and equating perpendicular to an outer wall of the base to being perpendicular to the base is erroneous. By definition, a cylindrical object has two bases that are bounded surfaces lying in parallel planes at top and bottom boundaries of the cylinder, connected by a side (wall)

that extends from one base to the other, along the outer edge of each base. An axis perpendicular to a base of a cylinder must therefore be perpendicular to the parallel planes that include the bases of the cylinder.

In Shiin, the bases of the cylinder of the lens housing 3, and the top and bottom portions of the cylinder are, by definition, the parallel circular surfaces of the top and bottom of the entire cylinder. Therefore, an axis perpendicular to the lens housing 3 must be perpendicular to the (planes containing the) circular surfaces at the top and bottom of the lens housing 3. As stated by the Examiner, the joint pins 4 are not perpendicular to the top and bottom surfaces (i.e., the bases of the cylinder), but extend outward from an outer wall of the cylinder. However, despite the Examiner's interpretation, the joint pins 4 clearly extend parallel to the bases of the cylinder 3, and not perpendicular to the bases. Further, the axis of rotation of Shiin is not a longitudinal axis of the cylinder.

Therefore, Shiin does not teach, disclose, or suggest, "a first rotating axis extending in a longitudinal direction of the cylinder and in a direction perpendicular to a base of the cylinder." Further, Britz does not cure the deficiencies of Shiin. All of the claimed features of independent Claim 1 are not taught or suggested by the combination of Shiin and Britz or by either reference alone. Therefore, Claim 1 is patentable over Shiin and Britz. Accordingly, withdrawal of the rejection of Claim 1 is respectfully requested.

Claims 2-9 are dependent claims, and are believed to be in condition for allowance for at least the reasons given above with regard to independent Claim 1.

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Accordingly, all of the claims pending in the Application, namely, Claims 1-9 are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicant's attorney at the number given below.

Respectfully submitted,



Paul V. Farrell

Reg. No. 33, 494

Attorney for Applicant

THE FARRELL LAW FIRM, PC

290 Broadhollow Road, Suite 210E

Melville, New York 11747

Tel: (516) 228-3565

Fax: (516) 228-8475